

# **SOUTH WEBER CITY COUNCIL MEETING**

**DATE OF MEETING:** 10 February 2015

**TIME COMMENCED:** 6:00 p.m.

**PLEDGE OF ALLEGIANCE:** Mayor Long

**PRAYER:** Council Member Thomas

**PRESENT: MAYOR:**

Tammy Long

**COUNCILMEMBERS:**

Scott Casas  
Randy Hilton  
Michael Poff  
Marlene Poore  
David Thomas

**CITY RECORDER:**

Tom Smith

**CITY MANAGER:**

Duncan Murray

**Transcriber:** Minutes transcribed by Michelle Clark

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***A PUBLIC WORK MEETING was held at  
5:30 p.m. to  
REVIEW AGENDA ITEMS***

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**VISITORS:** Brent Poll, Rod Westbroek, Debi Pitts, Jeff Monroe, Wayne Winsor, Delene Hyde, Bryon Saxton, Jackie & Robert Watkins.

**Mayor Long called the meeting to order and welcomed those in attendance.**

**APPROVAL OF THE AGENDA:** Council Member Poff moved to approve the agenda as written. Council Member Hilton seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.

**CONFLICT OF INTEREST:** There was none

**CONSENT AGENDA:**

- Approval of January 20, 2015 City Council Work Session Minutes
- Approval of January 27, 2015 City Council Work Session Minutes
- Approval of January 27, 2015 City Council Meeting Minutes

**Council Member Poff moved to approve the consent agenda. Council Member Casas seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.**

**Recognition for 18 years of service to Planning Commission Chair, Delene Hyde:**

Commissioner Hyde has served on the Planning Commission for 18 years. Mayor Long presented Commissioner Hyde with a plaque. Duncan said he has worked in a lot of cities and he feels Commissioner Hyde is the epitome of that. Commissioner Hyde said it has been a great privilege and opportunity to serve in a community that she has grown up in. She thanked Barry Burton and Brandon Jones for their help. Council Member Poff thanked Commissioner Hyde and the Planning Commission for their service. Commissioner Rod Westbroek echoed everything that has been said tonight. He has served with Commissioner Hyde for several years on the Planning Commission. He said they will miss her. Commissioner Wes Johnson said it will be some big shoes to fill. Brandon Jones, City Engineer, thanked Commissioner Hyde as he has worked with her for eight years. He works with several different Planning Commissions and he feels Commissioner Hyde was the ideal chairperson.

**Council Member Hilton moved to open the public hearing for Ordinance 15-01. Council Member Poff seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.**

**\* \* \* \* \* PUBLIC HEARING \* \* \* \* \***

**Ordinance 15-01: Amendment to the City's Zoning Map – Request from agent Jeff Monroe, applicant for Warren Reynolds for 4.57 acres located at approximately 400 East Old Post Office Road (Parcel 13-018-0070) to be changed from Agricultural Zone (A) to Residential Low-Moderate Zone (RLM):**

Duncan Murray, City Manager, stated the applicant is requesting a rezone for 4.57 acres located at approximately 400 East Old Post Office Road to be changed from Agricultural Zone (A) to Residential Low-Moderate Zone (RLM). He said the rezone request is consistent with surrounding properties as well as the general plan. He said there are some potential issues with the Corp of Engineers as well as issues with ground contamination. He said the Planning Commission did review this request and is recommending approval.

Jeff Monroe, 7965 S. 2175 E., representing Warren Reynolds, stated Mr. Reynolds is looking to subdivide the property at this time so that there are no issues with his children down the road. He said after reviewing the plume maps for Hill Air Force Base contamination, he feels this property is adequately out of the contamination area according to the maps. He said some of those areas have receded over the years.

Mayor Long asked if there was any public comment.

**Brent Poll, 7605 S. 1375 E.,** representing South Weber Coalition, commended Delene Hyde for her service. He said she has been a class act. Mr. Poll then addressed the rezone request and stated he is in opposition to it. He said South Weber City doesn't have any plume maps and has done no research. He said Hill Air Force Base hires a contractor to do a statement of work as to what to look for. He said on the plume maps none of them can be used as land use maps. He said the council can say "no" until it is safe. He suggested the city get away from the

misinformation that they are using. He said the EPA is not an independent player in regard to the Superfund site. The EPA, HAFB, and Utah's Division of Environmental Health (UDEQ), signed a Federal Facilities Agreement on 10 April 1991. This agreement was designed so all three would function as one unit with one voice regarding remedial efforts at the Base's Superfund sites.

Council Member Thomas said in order to deny we need scientific evidence. He said the best information we have are the plume maps that show they are shrinking. He said unless we can show there is actual contamination, how can the city tell someone they can't develop and not be liable for the taking of the property. He said he has seen the actual testing data and it shows it is getting less. Mr. Poll said Dr. Carter's studies don't show anything conclusive about where things are going at all. Mr. Poll feels the city should be sued if anyone comes down with anything. Council Member Poff said HAFB conclusion is not property specific and that is where his problem comes. Mr. Poll said the pathways of pollution have been marked. He said HAFB doesn't have conclusive evidence that it is shrinking. He would like the city to ask HAFB to do some baseline testing. Council Member Thomas asked if Dr. Carter would be willing to testify that this property is polluted and is dangerous to human life, if in fact, the city allows development. Mr. Poll said Dr. Carter wouldn't be able to say that specifically. Mr. Poll said there is evidence that there is genuine risk.

**Council Member Poff moved to close the public hearing for Ordinance 15-01. Council Member Thomas seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.**

**\*\*\*\*\* PUBLIC HEARING CLOSED \*\*\*\*\***

Council Member Poff said anytime something has come up for rezone in this area, he doesn't see anything that should disallow this rezone. Council Member Poore asked about testing and the cost. Council Member Thomas said concerning testing, it has to be in city ordinance and consent of landowner. Council Member Poff isn't sure what the city would be testing for because they don't know all the chemicals, nor how deep to do testing? Council Member Thomas said HAFB, through independent consultants, has tested for substances over the last twenty years, and he disagrees with Mr. Poll's analysis on plume maps. From Council Member Thomas' experience with the law, he said plume maps have an enormous amount of relevance in a court of law. He said the city doesn't have actual evidence to say that this is a danger to life. He said he has dealt with a lot of experts and none of them will be definitive with their answers. Council Member Hilton said HAFB will test homes for vapor intrusion upon request, but lots of people don't want their homes tested. Council Member Poore would like to know how future property owners will be notified of the contamination. Council Member Thomas said if there is sufficient evidence, a note can be put on the plat, but this is a rezone request. Council Member Poff suggested that the South Weber Coalition notify property owners. Discussion took place regarding who pays for the testing and what exactly should be tested for. Council Member Hilton feels it is the city's obligation to inform property owners. Council Member Thomas said even if it is on plat map, there are no guarantees that someone will look at it.

**Council Member Casas moved to approve Ordinance 15-01. Council Member Thomas seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.**

**Resolution 15-04: Appointment of new Planning Commission member**

Commissioner Delene Hyde's term ended January 2015. Duncan said the city received eight applications. Six applicants were interviewed by a panel. Mayor Long recommended appointing Debi Pitts for the term of 10 February 2015 to 31 December 2019.

**Council Member Poff moved to approve Resolution 15-04 to appoint Debi Pitts to the Planning Commission for the term of 10 February 2015 to 31 December 2019. Council Member Thomas seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.**

**Resolution 15-05: Appointment of a representative to the Mosquito Abatement Board**

Duncan said after researching other cities, almost all appointments are elected officials; however, the city did receive two applications for this position. Council Member Poff, at a prior meeting, recommended appointing Mayor Long to the Mosquito Abatement Board for the term of 10 February 2015 to 3 January 2018.

**Council Member Poff moved to approve Resolution 15-05 to appoint Mayor Long to the Mosquito Abatement Board for the term of 10 February 2015 to 3 January 2018. Council Member Poore seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.**

**Check Register for Jan. 16-31, 2015, including 2014 Schedule "B" Chip & Seal Street Maintenance Project by Morgan Pavement:**

Duncan explained that it took a lot longer than normal to finalize payment to Morgan Pavement for the chip and seal street maintenance project because the City Engineer did have some concerns. He said the final regular funds will be released. Duncan said there will be a change in the check register for credit card purchases at the bottom of the page. He said they will also add another column for the date of expense. Council Member Poff asked if it is necessary to have the basketball referees on the check register because some of the kids are under eighteen. He questioned an overpayment for a fine. Duncan said we can delete the names for fines and referees.

**Council Member Poff moved to approve the check register for January 16-31, 2015, including 2014 Schedule "B" chip & seal street maintenance project by Morgan Pavement. Council Member Hilton seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.**

**City Council Committee Assignments, including designation of committee chairs:** Duncan explained the budget guideline manual for fiscal year 2015-2016. He said this is an effort to improve and simplify the budget process. The manual includes the budget calendar, core goals, council committee purpose and rule, council committee membership, council committee flow chart, model cover sheet for a department/fund, and definitions of typical budget codes for the State of Utah Uniform Accounting Manual.

**Council Committees****Public Safety**

Tom Grayden  
 Tom Smith  
 Council Member Casas  
 Council Member Thomas

*Goal: VRP = Fire Trucks*

**Sewer, Water, Storm Drain**

Mark/Bryan  
 Paul  
 Council Member Thomas  
 Mayor Long

*Goal: Water Tank (2 million gal)*

**Streets & Garbage**

Mark/Bryan  
 Duncan  
 Council Member Hilton  
 Council Member Poore

*Goal: VRP = Snow Plow*

**Parks/Trails/Beautification Recreation/Events**

Mark/Bryan  
 Tom Smith  
 Council Member Casas  
 Council Member Poff

*Goal: Canyon Meadows  
 Baseball Field*

Curtis Brown  
 Tom Smith  
 Council Member Poff  
 Mayor Long

*Goal: CFD & Resurfacing  
 Rec. Floor*

**Finance & Admin**

Paul/Tom  
 Duncan  
 Council Member Hilton  
 Council Member Poore

*Goal: Fund Structure,  
 /Finance Software*

**Continue with the tradition to hold Public Hearings at City Council for new subdivisions**

Duncan explained the Planning Commission discussed whether or not a public hearing is necessary at City Council for new subdivisions. Council Member Casas feels it is important to have public comment at both the Planning Commission and City Council level. Council Member Poore said it gives citizens more opportunities to attend one or the other meeting. Council Member Poff said the council has reviewed this before and he would recommend going with tradition. Duncan said there is a cost involved with a public hearing being \$80 to \$100 per hearing. The council agreed to continue with the tradition to hold public hearings at the Planning Commission and City Council level for new subdivisions.

**Front Office Opening Hours change: 7:00am to 8:00am Monday to Thursday**

Duncan said the hour in the morning from 7:00 a.m. to 8:00 a.m. doesn't generate a lot of business in the city office. He said it wouldn't change the hours worked by the employees but the office hours. Council Member Hilton feels it would be fine to open at 8:00 a.m. Council Member Casas said his frustration with most government offices is that they close at 5:00 p.m. He finds it difficult to get there before 5:00 p.m. He said if budget wasn't an issue, he would request staying open later. Duncan said in the future we can look at staying open later (possibly one day a week).

**Economic Development**

Tom reviewed the economic development statistics from the survey completed prior to the summit. Tom reviewed page 5 deeming sales tax most important, then property tax, and jobs. 9.3 hours staff time working on economic development. Tom reviewed page 17 of the survey with 83% of individuals requesting a convenience store. The primary focus was sales tax base. Duncan said we obviously have connections with business leaders in the town, but we need to know what we want as a city staff and council to pursue. Council Member Poff said we need to understand the numbers or realistic assessment. Council Member Thomas said a convenience store, gas station, are things the residents want. He feels the prime directive is what are the

services that the residents would like? Tom said the idea is to initiate a strategy to replace the gravel pit. He feels a plan and precedent need to be set. Tom reviewed page 10 concerning mission statements. He suggested the council draft a mission statement at the next work meeting.

### **PUBLIC COMMENTS:**

**Robert Watkins, 2190 E. 7800 S.,** he is concerned that the charter school doesn't have flashing lights for the school zone and the elementary school further down South Weber Drive does. He is concerned about the safety hazards with no lights. Council Member Thomas said UDOT has been contacted because it is a State road. Mr. Watkins said he spent 36 years of his life in the school system, and his concern is permitting a Maverik next to the charter school, and the safety concerns that will create. Council Member Poff suggested city staff contact UDOT.

### **COUNCIL MEMBER ITEMS:**

#### **Council Member Casas:**

**Audit Report:** He would like to meet with Tim Rees to discuss audit findings. City staff will set it up for a work meeting. Duncan will send out an email if anyone has specific questions.

**Garbage Cans at Park and Ride:** He suggested the city purchase three new metal garbage cans with holes in the bottom to drain.

#### **Council Member Poff:**

**Sewer Board Meeting:** He discussed after they treat the water they discharge it. He suggested setting up a meeting in April 2015 with Weber Basin, Central Weber Sewer Board, and the State to see if interested in ACR. He suggested the council tour Central Weber Sewer Board.

#### **Council Member Hilton:**

**Job Corp:** He reported the Job Corp will be replacing their wind mill.

**Wasatch Integrated:** He reported that Wasatch Integrated will be drilling a new test well.

**OU4:** He reported that OU4 wasn't as clean as HAFB thought so they will be digging it up. They will install a trench with organic matter.

#### **Council Member Poore:**

**Legislative Bill:** There is a possibility of requiring cities to have 50% of fleet vehicles environmentally safe.

### **MAYOR'S ITEMS:**

**Wasatch Front:** Legislature meeting concerning funding. This could affect funds the city would receive.

**CITY MANAGER ITEMS:**

**Legislative Bill:** He discussed point of sales tax of which the city may not receive much by the time it is distributed.

**CITY RECORDER'S ITEMS:**

**Elections:** June 1-8, 2015 applications will be taken for elections. There may be the option of strictly voting by mail.

**ADJOURNED:** Council Member Poore moved to adjourn the City Council Meeting at 8:31 p.m. Council Member Casas seconded the motion. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.

**APPROVED:** \_\_\_\_\_ Date  
Mayor: Tammy Long

\_\_\_\_\_  
Transcriber: Michelle Clark

Attest: \_\_\_\_\_  
City Recorder: Tom Smith